

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Joseph R. Byrum, *et al.*

Appl. No. To be assigned

Filed: November 24, 1998

For: **Nucleic Acid Molecules And Other  
Molecules Associated With Plants**

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 38-21(15075)B



**Information Disclosure Statement**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each listed document is provided.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application

does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449 and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038.

Respectfully submitted,

*Lawrence M. Lavin, Jr.*

Lawrence M. Lavin, Jr. (Reg. No. 30,768)

Date: Nov 24, 1998

Monsanto Company  
700 Chesterfield Parkway North, BB4F  
St. Louis, Missouri 63198

*by*  
*DD R. Marsh*  
*Reg No. 41, 408*